

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JULY 17, 2017.

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Monday, July 17, 2017.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Creativity, we thank You for the many blessings You have given to us here in the Commonwealth of Massachusetts.

Prayer.

As residents, we are grateful for our heritage of workmanship and innovation.

Today, we pay tribute to the official sailing vessel of Massachusetts, the Ernestina-Morrissey, one of the oldest sailing vessels still afloat. According to the National Park Service, the schooner was built in Essex in 1894 and was originally named the Effie M. Morrissey. She first served as a fishing vessel to catch cod, mackerel, and haddock on the Grand Banks. Then from 1926 to 1946 the Effie M. Morrissey sailed the Arctic Ocean for museums, zoos, and scientific researchers.

In 1948, the schooner was refitted in Cape Verde and renamed the Ernestina. Today, she enjoys fame as the last sailing ship used to carry immigrants across the Atlantic, bringing passengers and supplies from the Cape Verde Islands to America. In 1982, the newly independent nation of Cape Verde presented the Ernestina to the people of the United States in recognition of the ties between the two countries. Now owned by the Commonwealth, she was re-named the Ernestina-Morrissey and is currently undergoing renovations in dry dock in Maine until November of 2018. She will then return to her home port as part of the New Bedford Whaling National Historic Park.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Resignation as Chairman of the House Committee on Ways and Means.

A communication from Representative Brian S. Dempsey of Haverhill was spread upon the records of the House, as follows:

July 17, 2017.

Mr. Steven James
Clerk of the Massachusetts House of Representatives
State House, Room 145
Boston, MA 02133

Dear Mr. Clerk,

I am writing to resign from my position as Chairman of the House Committee

Representative

on Ways and Means, effective at 9am today July 17, 2017.

Thank you in advance for your assistance in carrying out this wish and ensuring that this letter is on file with the House of Representatives and the Treasurer of the Commonwealth.

Dempsey of Haverhill,—
communication.

Sincerely,
Brian S. Dempsey
3rd Essex District.

Changes in House Standing Committees.

The Speaker announced changes in the House standing committees on Ways and Means, Bills in the Third Reading, Personnel and Administration, and Post Audit and Oversight.

Changes in House standing committees.

The membership of said committees are as follows:

Ways and Means.

Representatives:

Sánchez of Boston	Hunt of Boston
Kulik of Worthington	Vincent of Revere
Malia of Boston	Carvalho of Boston
Miceli of Wilmington	Gentile of Sudbury
Walsh of Peabody	González of Springfield
Koczera of New Bedford	McGonagle of Everett
Stanley of Waltham	Mom of Lowell
Garballey of Arlington	Tucker of Salem
Arciero of Westford	Madaro of Boston
Ashe of Longmeadow	Cassidy of Brockton
Farley-Bouvier of Pittsfield	Smola of Warren
Holmes of Boston	D’Emilia of Bridgewater
Cutler of Duxbury	Berthiaume of Spencer
Keefe of Worcester	Boldyga of Southwick
Rogers of Cambridge	Campanale of Leicester
Silvia of Fall River	Dooley of Norfolk
Cullinane of Boston	Whelan of Brewster
Fiola of Fall River	Wong of Saugus.

Bills in the Third Reading.

Representatives:

Speliotis of Danvers	D’Emilia of Bridgewater.
Fiola of Fall River	

Personnel and Administration.

Representatives:

McMurtry of Dedham	Goldstein-Rose of Amherst
Day of Stoneham	Matias of Lawrence

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Miceli of Wilmington
Kafka of Stoughton
Rogers of Norwood
Garry of Dracut
Nangle of Lowell

Lyons of Andover
D’Emilia of Bridgewater
Ferguson of Holden
Harrington of Groton.

Post Audit and Oversight.

Representatives:

Linsky of Natick
Rogers of Cambridge
Stanley of Waltham
Campbell of Methuen
Livingstone of Boston
Finn of West Springfield

Day of Stoneham
Ryan of Boston
Meschino of Hull
Durant of Spencer
O’Connell of Taunton.

Changes in Joint Standing Committees.

The Speaker announced changes in the joint standing committees on Consumer Protection and Professional Licensure, Environment, Natural Resources and Agricultural, Health Care Financing, Housing, Marijuana Policy, State Administration and Regulatory Oversight, and Telecommunications, Utilities and Energy.

Changes in
joint standing
committees.

The membership of said committees are as follows:

Consumer Protection and Professional Licensure.

Representatives:

Chan of Quincy
Hunt of Boston
Balsler of Newton
Arciero of Westford
Pignatelli of Lenox
Livingstone of Boston

Zlotnik of Gardner
Tosado of Springfield
Matias of Lawrence
Howitt of Seekonk
McKenna of Webster.

Environment, Natural Resources and Agriculture.

Representatives:

Pignatelli of Lenox
Vincent of Revere
Petrolati of Ludlow
Koczera of New Bedford
Keefe of Worcester
Velis of Westfield

Barber of Somerville
Fernandes of Falmouth
Lewis of Framingham
Berthiaume of Spencer
Kelcourse of Amesbury.

Health Care Financing.

Representatives:

Kocot of Northampton

Velis of Westfield

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Roy of Franklin
Cantwell of Marshfield
Dykema of Holliston
Chan of Quincy
Cullinane of Boston
Donahue of Worcester

Gentile of Sudbury
Ultrino of Malden
Hunt of Sandwich
Muratore of Plymouth.
Mirra of West Newbury

Housing.

Representatives:

Honan of Boston
McGonagle of Everett
Koczera of New Bedford
Collins of Boston
Barber of Somerville
Gentile of Sudbury

Connolly of Cambridge
Goldstein-Rose of Amherst
Tyler of Boston
Diehl of Whitman
DeCoste of Norwell.

Marijuana Policy.

Representatives:

Cusack of Braintree
Tucker of Salem
Chan of Quincy
Finn of West Springfield
Vega of Holyoke
Velis of Westfield

Vincent of Revere
Madaro of Boston
Hay of Fitchburg
Kane of Shrewsbury
Boldyga of Southwick.

State Administration and Regulatory Oversight.

Representatives:

Benson of Lunenburg
Schmid of Westport
Pignatelli of Lenox
Provost of Somerville
Campbell of Methuen
Ashe of Longmeadow

Decker of Cambridge
Vincent of Revere
Driscoll of Milton
Kuros of Uxbridge
Muratore of Plymouth.

Telecommunications, Utilities and Energy.

Representatives:

Golden of Lowell
Moran of Lawrence
Cantwell of Marshfield
Dykema of Holliston
Collins of Boston
Cutler of Duxbury

Madaro of Boston
Cahill of Lynn
Meschino of Hull
Mirra of West Newbury
Hunt of Sandwich.

Communication.

A communication from the Massachusetts Legislative Task Force on the Prevention of Child Sexual Abuse (see Chapter 431 of the Acts of 2014) submitting its report including guidelines and tools for the development of child sexual abuse prevention and intervention plans by youth-serving organizations in Massachusetts, was placed on file.

Children,—
sexual abuse
prevention.

Reports.

Reports

Of the Department of Environmental Protection (under Section 52 of Chapter 286 of the Acts of 2014) on the comprehensive review of revised Water Management Act permit requirements; and

Water
Management,—
permits.

Of the Massachusetts Department of Transportation (under Section 7 of Chapter 187 of the Acts of 2016) submitting its interim update on the Ride For Hire Task Force;

Ride
for hire.

Severally were placed on file.

Petitions.

Representative Galvin of Canton and Senator Timilty presented a joint petition (accompanied by bill, House, No. 3817) of William C. Galvin and Walter F. Timilty (by vote of the town) that the town of Canton be authorized to use retired Canton police officers as special police officers for the purpose of performing certain police duties; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Canton,—
retired
police.

Ms. Farley-Bouvier of Pittsfield presented a petition (subject to Joint Rule 12) of Tricia Farley-Bouvier and Adam G. Hinds for legislation to establish a sick leave bank for Mary Sorensen, an employee of the Department of Mental Health; and the same was referred, under Rule 24, to the committee on Rules.

Mary
Sorensen,—
sick leave.

Papers from the Senate.

Bills

Establishing a sick leave bank for Sarah Chaplin, an employee of the Department of Correction (Senate, No. 2084, amended in lines 4, 5 and 6 by striking out the following sentence: “Sarah Chaplin shall exhaust all of her sick, vacation, personal and compensation time before using any sick leave days donated to the sick leave bank.”) (on a petition); and

Sarah Chaplin,—
sick leave.

Establishing a sick leave bank for David Banks, an employee of the Trial Court of the Commonwealth (Senate, No. 2111) (on Senate bill No. 2107);

David Banks,—
sick leave.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2114) of Anne M. Gobi and Donald

Hardwick,—
collector.

R. Berthiaume, Jr., (by vote of the town) for legislation to authorize the board of selectmen of Hardwick to appoint the town collector; and

Petition (accompanied by bill, Senate, No. 2115) of Anne M. Gobi and Donald R. Berthiaume, Jr., (by vote of the town) for legislation to authorize the board of selectmen of Hardwick to appoint the town treasurer;

Hardwick,—
treasurer.

Severally to the committee on Municipalities and Regional Government.

Reports of Committees.

Mr. Mariano of Quincy, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2097) of the House Bill to ensure the public health and safety of patient and consumer access to medical and adult use of marijuana in the Commonwealth (House, No. 3776), reported a Bill to ensure safe access to medical and adult-use of marijuana in the Commonwealth (House, No. 3818). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Marijuana
access.

Mr. Murphy of Weymouth, for said committee, then reported, that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting, the question being on acceptance.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Evandro C. Carvalho and others relative to the right of Abatement AB Initio for certain individuals. To the committee on the Judiciary.

Abatement
AB Initio.

Petition (accompanied by bill) of David Paul Linsky, Richard J. Ross and Karen E. Spilka relative to the sponsorship of bridges crossing the state highways on or along the Cochetuate Rail Trail in the towns of Natick and Framingham. To the committee on Municipalities and Regional Government.

Cochituate
Rail Trail.

Under suspension of the rules, on motion of Mr. Tucker of Salem, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Ms. Hogan of Stow, for the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3517) of Smitty Pignatelli and others that the Department of Public Health be authorized to conduct an investigation and study of the feasibility and value of providing diaper benefits to low-income infants and children,— and recommending that the same be referred to the committee on Children, Families and Persons with Disabilities. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Diaper
benefits,—
study.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the Southborough board of selectmen to enter into a land exchange agreement with St. Mark's School of Southborough, Inc. (House, No. 3809) [Local Approval Received], be scheduled for consideration by the House.

Southborough,—
land.

Under suspension of Rule 7A, on motion of Mr. Walsh of Peabody, the bill

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was read a second time forthwith; and it was ordered to a third reading.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, Nos. 1657 and 3767, a Bill authorizing the Division of Capital Asset Management and Maintenance to grant easements to the town of Lanesborough for the reconstruction of the Narragansett Avenue bridge over Lake Pontoosuc (House, No. 3767).

Lanesborough,—
land.

By the same member, for the same committee, on House, No. 3380, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Waltham (House, No. 3810).

Waltham,—
land.

By the same member, for the same committee, on House, No. 3384, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land in the city of Revere (House, No. 3811).

Revere,—
land.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill prohibiting intentional misrepresentation by a business of its location (House, No. 184), be scheduled for consideration by the House; and under Rule 7A, it was placed in the Orders of the Day for the next sitting for a second reading.

Businesses,—
location.

Emergency Measures.

The engrossed Bill designating a certain bridge in the town of Lanesborough as the Sergeant Gregory Aloysius Noonan Bridge (see House, No. 1809, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Lanesborough,—
Noonan
bridge.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 6 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill establishing a sick leave bank for Philippe Fauche, an employee of the Department of Mental Health (see House, No. 3723, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Philippe
Fauche,—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 6 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill.

The engrossed Bill designating the month of May as Seatbelt Awareness Month (see House, No. 1716, amended) (which originated in the House), having

Bill
enacted.

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been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The Senate Bill authorizing the city of Leominster to pay a certain unpaid bill (Senate, No. 1132), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third
reading
bill.

The House Bill authorizing the town of Westborough to grant an additional liquor license for the sale of wine and malt beverages not to be drunk on the premises (House, No. 3758), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Id.

At a quarter before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Kafka of Stoughton being in the Chair), the House recessed subject to the call of the Chair; and at eight minutes before three o'clock P.M., the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

The Senate amendment of the House Bill establishing the Massachusetts pregnant workers fairness act (House, No. 3680, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was considered.

Pregnant
workers
fairness act.

Pending the question on adoption of the amendment, in concurrence, Mr. Brodeur of Melrose moved that the House concur with the Senate in its amendment with a further amendment striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text contained in House document numbered 3816. The further amendment was adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

Next
sitting.

At five minutes before three o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.